

Regular Session, 2010

SENATE BILL NO. 311

BY SENATOR KOSTELKA

CAMPAIGN FINANCE. Provides relative to campaign contributions and expenditures by individuals. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 18:1486(B) and 1491.7(B)(4), relative to contributions by  
3 individuals to political committees and certain expenditures by certain individuals;  
4 to provide relative to reporting requirements for individual contributions in the form  
5 of a payroll deduction or dues check-off system; to provide relative to expenditures  
6 made in support of or in opposition to a proposition by certain persons; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:1486(B) and 1491.7(B)(4) are hereby amended and reenacted to  
10 read as follows:

11 §1486. Proposition elections; required reports; recall elections

12 \* \* \*

13 B. These requirements shall be applicable only if the aggregate amount of  
14 contributions, loans, and transfers of funds received and accepted or expenditures  
15 made equals or exceeds two hundred dollars at any time during the aggregating  
16 period; **except that, with regard to expenditures made in support of or in**  
17 **opposition to a proposition or question submitted to the voters by a person who**

1 is not a candidate or a member of the principal campaign committee of a  
 2 candidate or of a political committee, these requirements shall be applicable  
 3 only if the aggregate amount of expenditures made equals or exceeds one  
 4 thousand dollars. "Aggregating period" for purposes of this Section shall mean the  
 5 period from the date on which the first contribution is received or the first  
 6 expenditure is made by the person or political committee, whichever is earlier,  
 7 through the closing date for the last report required to be filed in accordance with this  
 8 Chapter.

9 \* \* \*

10 §1491.7. Reports; contents

11 \* \* \*

12 B. Each report required to be in conformity with this Section shall contain  
 13 the following information:

14 \* \* \*

15 (4) Contribution(s) received during the reporting period for which the report  
 16 is being completed shall be reported, and the same shall be reported irrespective of  
 17 the amount thereof except as otherwise provided, as follows:

18 (a) The full name and address of each person who has made one or more  
 19 contributions, except contributions in the form of a payroll deduction or dues  
 20 check-off system, to and which have been received and accepted by the political  
 21 committee during the reporting period; the aggregate amount of such contributions,  
 22 except in-kind contributions, from each person, and the date and amount of each  
 23 such contribution; and a brief description of each in-kind contribution from each  
 24 person, the valuation thereof made by the chairman and the campaign treasurer, and  
 25 the date(s) of the in-kind contribution. ~~Except that in the case of a political~~  
 26 ~~committee which supports multiple candidates and/or issues and which receives over~~  
 27 ~~ten thousand contributions in the form of a payroll deduction or dues check-off~~  
 28 ~~system when no single contributor contributes in excess of twenty four dollars in the~~  
 29 ~~aggregate in a calendar year, such committee may elect to report the names and~~

1 ~~addresses of its contributors on an annual basis. Political committees making this~~  
2 ~~election shall list the names and addresses of its contributors, the total amount of the~~  
3 ~~contributions received per contributor, and the schedule of the receipt of such~~  
4 ~~contributions on the annual report due by February fifteenth complete through the~~  
5 ~~preceding December thirty-first.~~

6 (b) **The full name and address of each person who has made one or more**  
7 **contributions in the form of a payroll deduction or dues check-off system in**  
8 **excess of five dollars in the aggregate in a calendar year to and which have been**  
9 **received and accepted by the political committee during the reporting period,**  
10 **and the date and amount of each contribution. In the case of a political**  
11 **committee that supports multiple candidates and/or issues and receives over ten**  
12 **thousand contributions in the form of a payroll deduction or dues check-off**  
13 **system when no single contributor contributes in excess of twenty-four dollars**  
14 **in the aggregate in a calendar year, such committee may elect to report the**  
15 **names and addresses of its contributors on an annual basis. Political**  
16 **committees making this election shall list the names and addresses of its**  
17 **contributors, the total amount of the contributions received per contributor,**  
18 **and the schedule of the receipt of such contributions on the annual report due**  
19 **by February fifteenth complete through the preceding December thirty-first.**

20 (c) The aggregate amount of all contributions, other than in-kind  
21 contributions, received and accepted during the reporting period.

22 (c) (d) The aggregate valuation of in-kind contributions received during the  
23 reporting period.

24 \* \* \*

25 Section 2. This Act shall become effective upon signature by the governor or, if not  
26 signed by the governor, upon expiration of the time for bills to become law without signature  
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
29 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

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### DIGEST

Present law provides that contributions to a political committee received during the reporting period provided for by present law must be reported to the Supervisory Committee on Campaign Finance Disclosure (Board of Ethics), irrespective of the amount of the contribution, as follows:

- (1) The full name and address of each person who has made one or more contributions to a political committee that have been received and accepted by the political committee during the reporting period, along with the aggregate amount of such contributions, except in-kind contributions, and the date and amount of each contribution. In the case of a political committee that supports multiple candidates and/or issues and receives over 10,000 contributions in the form of a payroll deduction or dues check-off system, when no single contributor contributes in excess of \$24 in the aggregate in a calendar year, such committee may elect to report the names and addresses of its contributors on an annual basis. Political committees reporting in this way must list the names and addresses of its contributors, the total amount of the contributions received per contributor, and the schedule of the receipt of such contributions on the annual report due by February 15<sup>th</sup> complete through the preceding December 31<sup>st</sup>.
- (2) The full name and address of each person who has made an in-kind contribution, along with a brief description of each in-kind contribution, the valuation thereof made by the chairman and the campaign treasurer, and the date of each in-kind contribution.
- (3) The aggregate amount of all contributions, other than in-kind contributions, received and accepted during the reporting period.
- (4) The aggregate valuation of in-kind contributions received during the reporting period.

Proposed law provides that, with regard to contributions in the form of a payroll deduction or dues check-off system, only the full name and address of a person who has made one or more such contributions in excess of \$5 in the aggregate in a calendar year needs to be reported.

Proposed law otherwise retains present law.

Present law provides that any person, including a political committee, who makes any expenditure in support of or in opposition to a proposition or question submitted to the voters is required to file reports of such contributions and expenditures, if the aggregate amount of contributions, loans, and transfers of funds received and accepted or expenditures made equals or exceeds \$200 at any time during the aggregating period.

Proposed law retains the provisions of present law but further provides that, with regard to expenditures made in support of or in opposition to a proposition or question submitted to the voters by a person who is not a candidate or a member of the principal campaign committee of a candidate or a political committee, the reporting requirements of present law are applicable only if the aggregate amount of expenditures made equals or exceeds \$1,000.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:1486(B) and 1491.7(B)(4))